

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 26, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners present: Deb Schorr, Chair
Bernie Heier, Vice Chair
Larry Hudkins
Jane Raybould
Brent Smoyer

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Brittany Behrens, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:30 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, July 19, 2011.**

MOTION: Hudkins moved and Raybould seconded approval of the minutes. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier abstained. Motion carried 4-0 with one abstention.

2) **CLAIMS: Approval of all claims processed through Tuesday, July 26, 2011.**

MOTION: Smoyer moved and Hudkins seconded approval of the claims. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

SPECIAL PRESENTATION:

MOTION: Heier moved and Hudkins seconded to add the special presentation to the agenda. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

June Pederson, Aging Partners, said Laurie McAdams would be leaving after 30 years of service with Aging Partners. Schorr read an overview of McAdams' work history. Hudkins presented a resolution to McAdams expressing the County Board's appreciation for her service (R-11-0049). The Clerk read the proclamation for the record. McAdams praised those she worked with and thanked everyone for the recognition.

MOTION: Heier moved and Raybould seconded approval of the resolution. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

3) **PUBLIC HEARINGS:**

- A. **An amusement license application from the Capital City Horse and Pony Club for an event at 12900 N. 14th Street, Raymond, on Saturday, August 27, 2011.**

The Chair opened the public hearing. Since no one appeared, the Chair closed the public hearing.

4) **NEW BUSINESS:**

- A. **An amusement license application from the Capital City Horse and Pony Club for an event at 12900 N. 14th Street, Raymond, on Saturday, August 27, 2011.**

MOTION: Heier moved and Hudkins seconded approval of the special designated license.

Schorr noted the motion should be for approval of the amusement license. Heier withdrew the motion.

MOTION: Heier moved and Smoyer seconded approval of the amusement license. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

- B. **A special designated license application from Ken's Liquor to provide liquor beverage service at an event for the Capital City Horse & Pony Club, 12900 N. 14th Street, Raymond, on Saturday, August 27, 2011.**

MOTION: Heier moved and Smoyer seconded approval of the special designated license. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

3) **PUBLIC HEARINGS:**

- B. **Establishment of an access road for Dorothy K. Maher, located in the Southeast Quarter of Section 8, Township 12, Range 8, East of the 6th Principal Meridian, Lancaster County, Nebraska.**

Brittany Behrens, Deputy County Attorney, said the County Clerk's Office received a letter dated July 25, 2011, from the attorney representing the petitioner, Dorothy K. Maher, stating the parties have reached an agreement. This is a formal notice of withdrawal of Maher's petition.

4) **NEW BUSINESS:**

Items 4A and 4B were moved forward on the agenda.

- C. **A resolution authorizing the installation of a traffic sign at the following location in Lancaster County: one intersection sign (W2-1) on Waverly Road, approximately 500 feet east of N. 70th Street for westbound traffic. (R-11-0048)**

MOTION: Raybould moved and Smoyer seconded approval of the resolution. Heier, Smoyer, Hudkins Raybould and Schorr voted aye. Motion carried 5-0.

- D. **A recommendation from the County Engineer and the Purchasing Agent to issue an order from State of Nebraska contract 12817 OC to Titan Machinery, Inc., at a total cost of \$205,028 for two articulated all wheel drive loaders. (B-11-0029)**

4) **NEW BUSINESS CONTINUED:**

Don Thomas, County Engineer, said the new loaders would replace old equipment sold on auction last October. He explained the new mandate for 2012 emission controls would add an additional \$11,000-14,000 to the price, so ideally the purchase would take place prior to the Case plant's shutdown in November. He said the same equipment was purchased from Case in 1998 for \$84,125, so the price has not increased dramatically. In response to Raybould's question, Thomas said the loaders are funded from the highway budget. Hudkins asked how much was received for the old loaders. Thomas was not sure, but said he would check and let the Board know.

MOTION: Heier moved and Hudkins seconded approval of the recommendation. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

- E. **A change order supplemental agreement to County Contract No. C-11-0144 with Constructors, Inc., for a decrease of \$20,453.15 to adjust the project length for new Waverly city limits and to remove additional surface work on SW 40th Street; Project No. 11-28. (C-11-0427)**

MOTION: Raybould moved and Smoyer seconded approval of the change order supplemental agreement. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

- F. **A partial release of easement for all utility easements within Lot 5, Dakota Springs Addition, Lancaster County, Nebraska, granted through the final plat of Dakota Springs Addition, filed in the office of the Lancaster County Register of Deeds as Instrument No. 2007-055153 on November 8, 2007. (C-11-0428)**

MOTION: Smoyer moved and Hudkins seconded approval of the partial release of easement. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

- G. **An agreement with Robert and Darlene Davidson to clarify the duties and responsibilities of the parties relative to a road project on N. 112th Street from Waverly Road to Culvert H-156. (C-11-0429)**

MOTION: Smoyer moved and Raybould seconded approval of the agreement. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.

- H. **An amendment to County Contract No. C-08-0532 between Roberts Dairy, Lancaster County and the City of Lincoln using cooperative purchasing with the University of Nebraska-Lincoln for dairy products at the Midtown Center and Lincoln Area Agency on Aging. The amendment increases prices as listed in Attachments A and B. (C-11-0430)**

MOTION: Hudkins moved and Smoyer seconded approval of the amendment. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

- I. **An amendment to County Contract No. C-11-0211 between Kenwood USA Corporation Communication Division, Lancaster County and the City of Lincoln for two-way communications equipment and related accessories. The amendment renews the agreement from July 1, 2011, to December 31, 2011. (C-11-0431)**

4) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Heier seconded approval of the amendment. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

- J. **An interlocal agreement with the State of Nebraska Administrative Office of the Nebraska Supreme Court for administration of the Adult Drug Court for the District Court of Lancaster County. The Administrative Office of the Courts will pay the County \$183,839 for the services. Term of the agreement is July 1, 2011, to June 30, 2012. (C-11-0432)**

MOTION: Raybould moved and Smoyer seconded approval of the agreement. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

- K. **An interlocal agreement with the State of Nebraska Office of Probation Administration in the amount of \$8,000 for electronic monitoring services as part of the operation of the Lancaster County Juvenile Drug Court. Term of the agreement is July 1, 2011, to June 30, 2012. (C-11-0433)**

MOTION: Hudkins moved and Raybould seconded approval of the agreement. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.

- L. **A service provider agreement with the Nebraska Department of Health and Human Services on behalf of the Community Mental Health Center. The enrollment information contains information necessary to add Valerie Franssen and Kai Taeghan to the Community Mental Health Center's Provider Group. (C-11-0434)**

MOTION: Raybould moved and Hudkins seconded approval of the agreement. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

- M. **An agreement with the Nebraska Department of Health and Human Services, Division of Behavioral Health Lincoln Regional Center on behalf of the Community Mental Health Center (CMHC) to provide community based sex offender management as part of CMHC's STOP program. The department will pay the County \$700 per person per month for the services provided. Term of the agreement is July 1, 2011, to June 30, 2012. (C-11-0435)**

MOTION: Raybould moved and Heier seconded approval of the agreement. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

- N. **An agreement with Region V Systems for Emergency Protective Custody (EPC) services at the Lancaster County Crisis Center. Region V will enter into separate agreements with referring counties who will send acutely mentally ill individuals to Lancaster County. The County will be paid \$116 per individual for the County fee and \$52 from the rural pool for each individual. Term of the agreement is July 1, 2011, to June 30, 2012. (C-11-0436)**

MOTION: Raybould moved and Hudkins seconded approval of the agreement. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

4) **NEW BUSINESS CONTINUED:**

- O. **A detention services agreement with Kearney County for juvenile services. Lancaster County will provide for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Kearney County will pay Lancaster County a rate of \$236 per youth per day. The agreement is effective upon execution by both parties. (C-11-0437)**

MOTION: Hudkins moved and Smoyer seconded approval of the agreement. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.

- P. **Acceptance of assignment of services from the Nebraska Heart Institute to Nebraska Specialty Network, LLC for the services outlined in County Contract No. C-06-0173. The services to be provided are specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. (C-11-0438)**

MOTION: Heier moved and Raybould seconded to accept the assignment of services. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

- Q. **A renewal of an agreement with Ameritas Group for the administration of the Lancaster County self-insured dental plan from January 1, 2012, to December 31, 2013. The monthly fee of \$4.47 per enrolled employee will be applicable for January 1, 2012, to December 31, 2013 plan period. (C-11-0439)**

MOTION: Heier moved and Hudkins seconded approval of the renewal. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

- R. **A renewal of an agreement with Ameritas Group for the administration of the Lancaster County vision plan from January 1, 2012, to December 31, 2013. The current plan and rates will be the same for the period of January 1, 2012, to December 31, 2013. (C-11-0440)**

MOTION: Heier moved and Smoyer seconded approval of the renewal. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

- S. **Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Building Our Assets Together program; Grant No. 11-JS-424. The County shall receive \$6,250. Term of the grant award is July 1, 2011, to June 30, 2012.**

MOTION: Hudkins moved and Raybould seconded approval of the grant award. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.

- T. **Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Building Up Interdependence and Leadership Development program; Grant No. 11-JS-422. The County shall receive \$25,000. Term of the grant award is July 1, 2011, to June 30, 2012.**

4) **NEW BUSINESS CONTINUED:**

MOTION: Smoyer moved and Hudkins seconded approval of the grant award. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

- U. **Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Weekend Reporting Center; Grant No. 11-JS-417. The County shall receive \$20,000. Term of the grant award is July 1, 2011, to June 30, 2012.**

MOTION: Hudkins moved and Raybould seconded approval of the grant award. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

- V. **Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Christian Heritage's Destination Dad program; Grant No. 11-JS-415. The County shall receive \$39,513. Term of the grant award is July 1, 2011, to June 30, 2012.**

MOTION: Heier moved and Smoyer seconded approval of the grant award. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

- W. **Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Coordinated Response to Reducing Violence Against Women; Grant No. 10-VW-0714. The County shall receive \$185,943. Term of the grant award is July 1, 2011, to June 30, 2012.**

MOTION: Raybould moved and Smoyer seconded approval of the grant award. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

- X. **A mini-grant contract application and award from Lancaster County to the Nebraska Office of Highway Safety to operate a sobriety checkpoint in conjunction with the "You Drink and Drive. You Lose." Campaign.**

MOTION: Hudkins moved and Raybould seconded approval of the mini-grant contract application and award. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.

Bill Jarrett, Chief Deputy County Sheriff, said this is a recurring grant with Nebraska Office of Highway Safety. It will fund seven to nine additional deputies at a time to set up checkpoints to verify seatbelt usage and proper registration, as well as check for drunk driving.

Hudkins asked if there are more issues around the state lakes since alcohol is permitted. Jarrett said service calls have increased to area lakes. He noted some of the increased lake traffic is due to parks around the Missouri River being closed.

- Y. **Appointment of Mogien Boyd to the Lincoln-Lancaster County Board of Health for a three-year term expiring April 15, 2014.**

MOTION: Heier moved and Smoyer seconded approval of the appointment. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

5) **CONSENT ITEMS:** *These are routine business items that are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

A. **Receive and place on file the following:**

1. **Annual Inventory of County Real Property.**
2. **County Engineer quarterly report for April-June, 2011.**
3. **County Attorney quarterly report for April-June, 2011.**

MOTION: Heier moved and Smoyer seconded approval of the consent items. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

6) **PUBLIC COMMENT:** Those wishing to speak on items relating to County business not on the agenda may do so at this time.

John Austin discussed bus service to the Lancaster Event Center.

7) **ANNOUNCEMENTS:**

A. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, July 28, 2011, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.**

B. **The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, August 2, 2011, at 9:30 a.m., in Room 112 on the first floor of the County-City Building, with the Board of Equalization meeting immediately following.**

C. **The Lancaster County Board of Commissioners meeting is broadcast live. It is rebroadcast on Tuesday at 1:30 and 6:00 p.m. and on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, the meeting may be viewed on Nebraska On Demand Time Warner Channel 411 and on the internet at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.**

D. **The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.**

8) **ADJOURNMENT**

MOTION: Heier moved and Raybould seconded to adjourn the Board of Commissioners meeting at 10:07 a.m. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 26, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING

Commissioners present: Deb Schorr, Chair
Bernie Heier, Vice Chair
Larry Hudkins
Jane Raybould
Brent Smoyer

Others present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Brittany Behrens, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:07 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 19, 2011.**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier abstained. Motion carried 4-0 with one abstention.

2) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**

**American Red Cross-Cornhusker Chapter
Calvary Cemetery & Mausoleum
Catholic Bishop of Lincoln
Capitol City Christian Church**

**Christ Lutheran Church & Schools
Food Bank of Lincoln
Trinity United Methodist Church**

MOTION: Hudkins moved and Raybould seconded approval of the motor vehicle tax exemption applications. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

3) **ADJOURNMENT**

MOTION: Heier moved and Smoyer seconded to adjourn the Board of Equalization meeting at 10:09 a.m. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

